United States Bankruptcy Court Southern District of Texas

ENTERED

March 05, 2024 Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re:) Chapter 11
ALEXANDER E. JONES,) Case No. 22-33553 (CML)
Debtor.)

SECOND AMENDED AGREED SCHEDULING ORDER FOR CONFIRMATION HEARING

WHEREAS, Debtor Alexander E. Jones ("Jones"), the Official Committee of Unsecured Creditors (the "Committee") appointed in the above-captioned chapter 11 case (the "Jones Case"), the Texas Plaintiffs, and the Connecticut Plaintiffs² (collectively, the "Parties") have met and conferred regarding the scheduling of dates relevant to a confirmation hearing to commence on [Tuesday, May 21], 2024 (the "Confirmation Hearing") and have agreed to further amend the Amended Agreed Scheduling Order for Confirmation Hearing [ECF No. 595] to allow for continued discussions among the Parties;

WHEREAS, the Court has considered the proposed schedule in connection with the Confirmation Hearing;

IT IS HEREBY ORDERED THAT:

1. The following dates and deadlines shall govern confirmation of any plans filed in the Jones Case, including discovery and the conduct of the Confirmation Hearing:

¹ The Texas Plaintiffs comprise Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and Marcel Fontaine.

² The Connecticut Plaintiffs comprise David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Sota, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker.

Event	Date
Plan Filing Date. The date by which any	
Party or other party in interest must file a plan	Friday, December 15, 2023
(each, a " <u>Plan</u> ").	
Jones Disclosure Statement Filing Date.	
The date by which Jones must file his	Friday, December 22, 2023
disclosure statement in support of any Plan he	Friday, December 22, 2025
has proposed.	
Committee Disclosure Statement Filing	
Date. The date by which the Committee, the	
Texas Plaintiffs and the Connecticut Plaintiffs	Eriday January 5 2024
and any other party in interest proposing a	Friday, January 5, 2024
Plan must file its disclosure statement in	
support thereof.	
Written Discovery Deadline. The deadline	
by which the Parties and any other parties in	
interest shall serve discovery relating to any	
Plans, potential objections thereto, and any	
other matters to be heard at the Confirmation	
Hearing (the "Requests"). The Parties and	
other parties in interest may—and are	
encouraged to—serve Requests sooner. The	
Parties and any other parties in interest shall	Tuesday January 0 2024
serve responses and objections to any	Tuesday, January 9, 2024
Requests within two weeks of service of the	
Requests. For the avoidance of doubt, the	
Parties and any other parties in interest shall	
meet and confer in good faith regarding	
timing and any requested extension of	
response deadline. The Parties also reserve	
the right to serve Requests at a later date	
based on developments since January 9.	
Objections to Provisional Approval of	
Disclosure Statements. The date by which	
Parties and any other parties in interest shall	Tuesday, January 16, 2024
file any objections to the provisional approval	
of any disclosure statements filed.	
Disclosure Statement Hearing Date. The	
date on which the Parties and any other	
parties in interest shall, subject to the Court's	Wednesday, January 24, 2024
availability, participate in a hearing regarding	vicumesuay, gamuary 27, 2027
any disclosure statements filed to seek	
provisional approval thereof.	
Solicitation Mailing/Publication Deadline.	Monday, January 29, 2024

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Privilege Log Deadline. The date by which the Parties and any other recipients of the Requests shall have provided logs of		
documents responsive to the Requests that	Tuesday, January 30, 2024	
were withheld or redacted on the basis of any		
claim or privilege.		
Substantial Completion of Document		
Production. The date by which the Parties		
and any other recipients of the Requests shall		
substantially complete the production of		
documents in response to the Requests.		
Parties and any other recipients of the		
Requests must commence production of		
documents in response to Requests as soon	Friday, February 2, 2024	
as reasonably possible and shall roll out		
document production in tranches, as		
available. Parties and any other recipients		
of the Requests shall not wait until the		
substantial completion deadline to		
commence production.		
Preliminary Witness Lists. The date by		
which the Parties and any other parties in	Monday March 25, 2024	
interest shall exchange lists of witnesses each	Monday, March 25, 2024	
such party in good faith expects to call at the		
Confirmation Hearing.		
Fact Witness Depositions. The dates during	Wednesday, March 27, 2024 – Wednesday,	
which the Parties and any other parties in	April 3, 2024	
interest shall conduct fact witness depositions.		
Expert Reports. The date by which the		
Parties and any other parties in interest shall	M 1 A 210 2024	
simultaneously exchange expert reports.	Monday, April 8, 2024	
Bankruptcy Rule 7026 shall apply in its		
entirely to any expert reports exchanged.		
Production of Materials Relied Upon in		
Expert Reports. The date by which the		
Parties and any other parties in interest shall		
produce copies of any documents or data that	Monday, April 8, 2024	
were (a) relied on by such party's expert in	, , ,	
forming the opinions contained in such report		
and (b) have not already been produced in		
these cases.		
Plan Objection Deadline. The date by	Wednesday, April 10, 2024	
which objections to any Plan must be filed.		
Rebuttal Expert Report. The date by which		
the Parties and any other parties in interest	Tuesday, April 16, 2024	
may exchange rebuttal expert reports, if any.		

Production of Materials Relied Upon in Rebuttal Expert Reports. The date by which the Parties and any other parties in interest shall produce copies of any documents or data that were (a) relied on by such party's expert in forming the opinions contained in rebuttal reports and (b) have not already been produced in these cases.	Tuesday, April 16, 2024
Expert Depositions. The dates during which the Parties and any other parties in interest shall conduct expert witness depositions.	[Wednesday, April 17 – Tuesday, April 23, 2024]
Exchange of Exhibits. The deadline by which the Parties and any other parties in interest shall exchange exhibits with each other.	Wednesday, April 24, 2024
Exchange of Final Witness and Exhibit Lists. The date by which the Parties and any other parties in interest shall serve a final list of witnesses and exhibits they intend to offer at the Confirmation Hearing (subject to supplementation from ongoing expert depositions). Witness lists shall identify all witnesses that each party will call and may call at the Confirmation Hearing and shall provide a brief summary of the anticipated testimony of each witness.	Friday, May 10, 2024
Objections to Final Witness and Exhibit Lists. The date by which the Parties and any other parties in interest must serve any objections to the final witness and exhibit lists.	Tuesday, May 14, 2024
Replies to Objections / Briefs in Support of Confirmation. The date by which the Parties and any other parties in interest must file their replies to all timely objections to their respective Plans and submit any briefs in support of confirmation of any Plan.	Thursday, May 16, 2024
Meet and Confer. The date on which the Parties and any other parties in interest shall meet and confer concerning any objections to witnesses or exhibits.	Friday, May 17, 2024
Final Pretrial Conference. The date on which the Parties and any other parties in interest shall, subject to the Court's availability, participate in a final pretrial conference.	[To be set week prior to Confirmation Hearing]

Filing of Final Witness and Exhibit Lists with the Clerk of the Court. The deadline by which the Parties and any other parties in interest shall file final exhibit and witness lists with the Clerk of the Court.	[To be set two days before of commencement of Confirmation Hearing]
Confirmation Hearing Dates. The timeframe in which the Parties and any other parties in interest shall complete trial. For the avoidance of doubt, final approval of any disclosure statements filed will be sought during the Confirmation Hearing.	[Tuesday, May 21, 2024 – Wednesday, May 22, 2024]

- 2. **Service.** The Parties and any other parties in interest agree to serve by email on all other Parties and any other parties in interest all discovery requests and written responses. Parties producing electronically stored information shall simultaneously transmit or make available such productions to all Parties that are bound by the *Stipulated Confidentiality Agreement and Protective Order*, dated February 14, 2023 [FSS ECF No. 461; Jones ECF No. 159].
- 3. **Discovery Disputes.** The Parties and any other parties in interest shall promptly seek Court intervention regarding any disputes that cannot be resolved consensually, which disputes shall be heard by the Court on an expedited basis.
- 4. **Confirmation Hearing.** The Parties and any other parties in interest will meet and confer on the details of the Confirmation Hearing, including the sequencing and length of witness testimony and the presentation of other evidence.
- 5. **Amendments or Modifications.** The Court may amend or modify the terms of this Order for good cause shown.
- 6. **Retention of Jurisdiction.** This Court shall retain jurisdiction over any and all matters arising from or related to the interpretation of this Order.

Signed: March 05, 2024

Christopher Lopez /

United States Bankruptcy Judge

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United States Bankruptcy Court Southern District of Texas

In re: Case No. 22-33553-cml Alexander E. Jones Chapter 11

Official Committee Of Unsecured Creditor

Debtors

CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser Page 1 of 7 Date Rcvd: Mar 05, 2024 Form ID: pdf002 Total Noticed: 21

The following symbols are used throughout this certificate:

Definition Symbol

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was ##

undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2024:

Recip ID	Recipient Name and Address
db	Alexander E. Jones, c/o 2525 McKinnon Street, Suite 425, Dallas, TX 75201
aty	+ Anna Kordas, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-1000, UNITED STATES 10036-6730
aty	+ Crowe & Dunlevy, 2525 McKinnon St, Suite 425, Dallas, TX 75201-1543
aty	+ David Franklin Hill, IV, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730
aty	Melanie A. Miller, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6745
aty	+ Richard A. Cochrane, Caldwell Cassady Curry PC, 2121 N. Pearl St., Ste. 1200, Dallas, TX 75201-2494
aty	+ Theodore James Salwen, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730
aty	+ Vida Robinson, Paul, Weiss, Rifkind, Wharton & Garrison, 1285 Avenue of the Americas, New York, NY 10019-6031
cr	+ Elevated Solutions Group, LLC, c/o Walker & Patterson, P.C., P.O. Box 61301, Houston, TX 77208-1301
cr	+ Erica L. Ash, c/o Cain & Skarnulis PLLC, 303 Colorado Street, Suite 2850, Austin, TX 78701 UNITED STATES 78701-0137
cr	+ Francine Wheeler, Cain & Skarnulis PLLC, Ryan E. Chapple, 303 Colorado Street, Suite 2850 Austin, TX 78701-0137
cr	+ Free Speech Systems, LLC, Free Speech Systems, LLC, c/o Patrick Magill, 3019 Alvin Devane Blvd., Ste 300 Austin,, TX 78741-7417
cr	+ Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720
cr	+ Richard M. Coan, c/o Cain & Skarnulis PLLC, 303 Colorado Street, Suite 2850, Austin, TX 78701-0137
cr	+ Security Bank of Texas, P.O. Box 90, Crawford, Tx 76638-0090

TOTAL: 15

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Standard Time.				
Recip ID	+	Notice Type: Email Address Email/PDF: acg.acg.ebn@aisinfo.com	Date/Time	Recipient Name and Address
CI			Mar 05 2024 20:33:12	Ally Bank, c/o AIS Portfolio Services, LLC, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr		Email/PDF: bncnotices@becket-lee.com	Mar 05 2024 20:33:14	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern, PA 19355-0701
cr		Email/Text: creditcardbkcorrespondence@bofa.com	Mar 05 2024 20:18:00	Bank of America N.A., P.O. BOX 31785, Tampa, FL 33631-3785
crcm	+	Email/Text: mbrimmage@akingump.com	Mar 05 2024 20:18:00	Official Committee Of Unsecured Creditors, c/o Marty L. Brimmage, Jr., Akin Gump Strauss Hauer & Feld LLP, 2300 N. Field Street, Suite 1800, Dallas, TX 75201-4675
cr	+	Email/Text: lemaster@slollp.com	Mar 05 2024 20:18:00	PQPR Holdings Limited, LLC, c/o Streusand Landon Ozburn & Lemmon LLP, attn: Stephen Lemmon, 1801 S. Mopac Expressway, Suite 320, Austin, TX 78746-9817
cr	+	Email/Text: BKECF@traviscountytx.gov	Mar 05 2024 20:18:00	Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748

TOTAL: 6

District/off: 0541-4 User: ADIuser Page 2 of 7
Date Rcvd: Mar 05, 2024 Form ID: pdf002 Total Noticed: 21

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

cr Carlee Soto Parisi cr Carlos M Soto intp David Ross Jones cr David Wheeler cr Donna Soto cr Ian Hockley cr Jacqueline Barden cr Jacqueline Barden cr Jacqueline Barden cr Jallilian Soto-Marino cr Mark Barden cr Jillian Soto-Marino cr Mark Barden cr Nicole Hockley cr Morio Hockley cr Mark Barden cr Micole Hockley cr Morio Hockley cr William Aldenberg cr William Sherlach cr William Sherlach cr William Aldenberg cr William Sherlach cr William Sherlac	Recip ID aty	Bypass Reason	Name and Address Akin Gump Strauss Hauer & Feld LLP
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	cr	##+	

TOTAL: 16 Undeliverable, 0 Duplicate, 5 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 5, 2024 at the address(es) listed below:

Name	Email Address
Avi Moshenberg	on behalf of Plaintiff Leonard Pozner avi.moshenberg@mhllp.com monica.rodriguez@mhllp.com
Avi Moshenberg	on behalf of Creditor Leonard Pozner avi.moshenberg@mhllp.com monica.rodriguez@mhllp.com
Avi Moshenberg	on behalf of Creditor Marcel Fontaine avi.moshenberg@mhllp.com monica.rodriguez@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Veronique De La Rosa avi.moshenberg@mhllp.com monica.rodriguez@mhllp.com

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